

1 UNITED STATES DISTRICT COURT
 2 EASTERN DISTRICT OF NEW YORK

3 -----X
 4 HEINS RODRIGUEZ,

5 PLAINTIFF,

6 -against-

Case No.:
 16 CV 5861 (NG) (RER)

7 CITY OF NEW YORK, Police Officer ZHENG ZUOPENG,
 8 Shield No. 25461; Police Officer ALLEN CHEN, Shield No.
 9 28461; Sergeant MATTHEW S. STARRANTINO; and JOHN
 10 And JANE DOE 1 through 10, individually and in their
 11 official capacities (the names John and Jane Doe being
 12 fictitious, as the true names are presently unknown),

13 DEFENDANTS.

14 -----X

15 DATE: July 18, 2018

16 TIME: 10:50 A.M.

17 DEPOSITION of the Plaintiff, HEINS

18 RODRIGUEZ, taken by the Defendant, pursuant to a Court
 19 Order and to the Federal Rules of Civil Procedure, held at
 20 the New York City Law Department, 100 Church Street, New
 21 York, New York 10007, before Enrique Alvarado, a Notary
 22 Public of the State of New York.

H. RODRIGUEZ

- 1 Q. And what were your plans that day?
- 2 A. Meet my mother.
- 3 Q. Where were you suppose to meet your mother?
- 4 A. Nail salon.
- 5 Q. Why were you meeting her at a nail salon?
- 6 A. To go out to the city afterwards.
- 7 Q. What were you going to do in the city?
- 8 A. Have lunch.
- 9 Q. To have lunch?
- 10 A. Yeah, to eat. I consider that lunch or dinner.
- 11 Q. What time were you suppose to meet your mother?
- 12 A. Roughly approximately 5:00.
- 13 Q. And once you met your mother, you guys were going
- 14 to the city together?
- 15 A. We was going to the city together.
- 16 Q. And how were you planing on getting to the city?
- 17 A. Train.
- 18 Q. Do you recall where you were going to go eat?
- 19 A. I don't.
- 20 Q. Do you know what time your mother left the house
- 21 that day?
- 22 A. Afternoon.
- 23 Q. Do you know where she went?
- 24 A. I don't.
- 25 Q. Was she working at that time?

H. RODRIGUEZ

1 Q. What device were you listening to music on?

2 A. iPhone.

3 Q. And where was your iPhone?

4 A. The side of my bookbag.

5 Q. So the headphone jack was coming out of your
6 bookbag and then on to your hood?

7 A. Where you put the water bottle on your bookbag,
8 it's an open pocket outside.

9 Q. And where on the bike was there a place for your
10 water bottle?

11 MR. BROMFELD: He's talking about his
12 backpack.

13 MR. BERGMAN: Sorry, I misunderstood that.

14 Q. So just please just walk me through this. When
15 you left your house on your bicycle, did you go to the
16 left, your right, straight? What did you do?

17 A. I made a left.

18 Q. And what did you make a left onto?

19 A. 49th Avenue.

20 Q. And how long were you on 49th Avenue for?

21 A. Approximately a minute or two.

22 Q. And then where did you go to from 49th Avenue?

23 A. 108 Street.

24 Q. And how did you get onto 108th Street?

25 A. Made a right.

H. RODRIGUEZ

- 1 Q. And how long were you on 108th Street for?
- 2 A. Also a minute or two.
- 3 Q. And then how did you come to leave 108th Street?
- 4 A. On 44th Avenue, made a left.
- 5 Q. And where did you go from 44th Avenue?
- 6 A. A made a right onto 104 Street.
- 7 Q. Okay. And then how long were you on 104th Street
- 8 for?
- 9 A. I'd say a minute or less.
- 10 Q. And where did you go from 104th Street?
- 11 A. I made a left on 43rd Avenue.
- 12 Q. Was that the most direct way to get to the nail
- 13 salon?
- 14 A. I didn't know where it was.
- 15 Q. Did your mother give you the address of the
- 16 location before you left?
- 17 A. No.
- 18 Q. So how were you intending on finding that
- 19 location?
- 20 A. Through the avenue.
- 21 Q. Can you describe what you mean by that?
- 22 A. Just I had to find a nail salon on 43rd Avenue.
- 23 Q. So your mother told you it was on 43rd Avenue?
- 24 A. Yes.
- 25 Q. Did she give you cross streets?